

63.126 Fences, Walls, and Hedges: Subdivision 1. A fence, wall, column, pier, post or any similar type structure, or any combination of such structures, may be permitted in any required yard or setback subject to the following requirements:

- A. It shall be the responsibility of the property owner to locate all property lines.
- B. No fence, wall, or hedge may extend beyond or across a property line unless in joint agreement with the abutting property owner.
- C. No fence, hedge or wall shall be placed closer than 18 inches to any public sidewalk or within five feet of any alley right of way.
- D. Fences and walls shall not exceed six feet in height above the elevation of the surface of the ground at any point, (see clause H for additional restrictions) except
 - (1) in instances where public safety or security necessitate, the zoning administrator may authorize fences and walls to have a maximum height not to exceed ten feet above the elevation of the surface of the ground at any point; or
 - (2) when the grade of buildings on adjacent lots is greater than that of buildings on the applicant's lot, the fence may exceed the height limitations, but in no case will the fence exceed the grade of the adjacent building by more than five feet.
- E. No fence, wall or hedge shall be placed closer than ten feet to the intersection of a driveway with any right of way used for vehicular or pedestrian traffic, including alleys.
- F. Fences, walls and hedges located within the traffic visibility zone are subject to the provisions of section 63.500.
- G. Previous references to walls shall apply to freestanding walls only. Walls erected for the purpose of landscaping or protecting slopes shall be permitted as regulated within the Building Code.
- H. In the CN-NR District, fences located within the required front yard or side street side yard shall not exceed four (4) feet in height, shall not be of the chain-link style and must be erected following permanent construction practices using typical outdoor suitable fencing materials such as wood, brick, stone, masonry, wrought iron, aluminum, vinyl or PVC.

Subd. 2. Any person who constructs, installs, alters or maintains a fence, wall, column, pier, post or any similar type structure, or any combination of such structures, in a manner which is not specifically permitted under this section is guilty of a misdemeanor.